

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Susan D. Wigenton
	:	
v.	:	Crim No. 09-696
	:	
	:	
PAUL NUNEZ-VARGAS	:	ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Ralph J. Marra, Acting United States Attorney for the District of New Jersey (by Andrew Carey, Assistant U.S. Attorney) and defendant Paul Nunez-Vargas (by Mitchell Elman, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from October 7, 2009 through December 7, 2009, to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance and waived such right, for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render a trial of this matter unnecessary;

(2) Defendant consents to the continuance; and

(3) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, IT IS on this 7th day of October, 2009,


ORDERED that this action be, and it hereby is, continued October 7, 2009 through December 7, 2009, defense motions, if any, are to be filed by to be determined opposition to defense motions are to be filed by to be determined motions shall be heard on a date to be determined by the Court and the trial shall be scheduled for a date to be determined by the Court absent any other reason to continue the proceedings; and it is further,

ORDERED that the period from October 7, 2009 through December 7, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984), pursuant to Title 18, United States Code, Section 3161.


Hon. Susan D. Wigenton
United States District Judge

I hereby consent to the form and entry of this Order.


Andrew Carey, AUSA


Mitchell Elman, Esq. by Adam Rosenblum
Attorney for Defendant